

cc: P/B Chairman
Supervisor



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, N.Y. 10278-0090

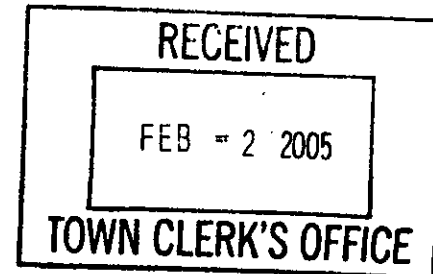
REPLY TO
ATTENTION OF:

Regulatory Branch

JAN 31 2005

SUBJECT: Permit Application Number 2002-01266-YS
by RPA Associates, LLC

Anthony P. Russo
Environmental Compliance Services, Inc.
226 East Main Street
Middletown, New York 10940-4035



Dear Mr. Russo:

On June 20, 2002, the New York District Corps of Engineers received a request for a Department of the Army jurisdictional determination and authorization for the construction of a residential development, located at the end of Park Hill Drive in the Town of New Windsor, Orange County, New York.

In a letter dated July 1, 2004, (copy enclosed) this office issued authorization for the proposal under Nationwide General Permit Numbers 12 and 39. This letter authorized the discharge of fill material into approximately 0.48 acres of wetlands, with 0.64 acres of wetland establishment as mitigation.

The drawing entitled "Lands Of RPA Associates, LLC Epiphany Drive Town of New Windsor, N.Y.", Sheet Number 6 of 8, prepared by Environmental Compliance Services, Inc., dated December 1, 2003, and last revised May 5, 2004, showed the details for "Wetland Creation Area - 2". In accordance with Special Condition "A" of our letter dated July 1, 2004, changes to this plan were required.

Following review of the submitted materials, it has been determined that the revised drawing complies with Special Condition "A" of the permit. Therefore, the permittee shall undertake the work within "Wetland Creation Area - 2" in accordance with the drawing entitled "Lands Of RPA Associates, LLC Epiphany Drive Town of New Windsor, N.Y.", Sheet Number 6 of 8, prepared by Environmental Compliance Services, Inc., dated December 1, 2003, and last revised October 13, 2004.

You are therefore authorized to begin work under the terms and conditions of the above referenced Nationwide General Permit letter.

You are reminded that this authorization is conditional on your receipt of the required water quality certificate or waiver from the New York State Department of Environmental Conservation (NYSDEC). No work may be accomplished until the required approval from NYSDEC has been obtained.

All other permit conditions to which the authorized work was made subject shall remain in effect. This letter shall be added to all copies of the permit, including those at the work site. If any questions should arise concerning this matter, please contact Mr. Brian Orzel, of my staff, at (212) 264-0183.

Sincerely,


George Nieves
Chief, Western Permits Section

Enclosure

cf: Town of New Windsor
NYSDEC - Region 3